

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

ALAN JAMES HOWARD, *et al.*,)
Plaintiffs,)
)
v.) No. 3:15-CV-06-TAV-CCS
)
KNOX COUNTY, TENNESSEE, *et al.*,)
Defendants.)

ROBERT ROSASCO, *et al.*,)
Plaintiffs,)
)
v.) No. 3:15-CV-098-TAV-CCS
)
KNOX COUNTY, TENNESSEE, *et al.*,)
Defendants.)

ORDER OF CONSOLIDATION

These cases are before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and the referral of the Chief District Judge.

Now before the Court is a Motion to Consolidate Cases, which was filed on behalf of Defendants Knox County, Tennessee, Knox County Board of Education and Tim Wiegenstein, in both of the cases captioned above. In their motion, Defendants move the Court to consolidate these cases because the cases involve nearly identical allegations brought on behalf of three students in the Knox County Schools.

The Court finds that Rule 42(a) of the Federal Rules permits the Court to consolidate cases which present common questions of law or fact. The Court finds that these cases present common questions of law and fact, and the Court finds that it is appropriate to consolidate the

two actions. Moreover, there has been no timely opposition to the request to consolidate in either of the cases. See E.D. Tenn. L.R. 7.1, 7.2. Accordingly, the Court finds that the Motion to Consolidate is well-taken, and it is **GRANTED**.

Because it is the first-filed of the two cases, it is **ORDERED** that Howard v. Knox County, Case No. 3:15-CV-06, **SHALL SERVE** as the lead case for purposes of this consolidation, and all future filings shall *only* be made in Howard v. Knox County, Case No. 3:15-CV-06.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge